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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,544	05/24/2001	Taketoshi Kashiwabara	Z001-3460	4071

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EXAMINER

SHIN, KYUNG H

ART UNIT PAPER NUMBER

2143

DATE MAILED: 09/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/864,544

Applicant(s)

KASHIWABARA ET AL.

Examiner

Kyung H Shin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responding to application papers with Preliminary Amendment filed on 5/24/2001.
2. Claims **1-20** are pending. Independent claim is **1**.

### ***Specification***

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Drawings***

4. The drawings are objected to because a shower room B in the rental computer space P in Fig. 1 is mentioned on line 11 on page 18 of Detailed description of application, but "B" is not found in the figure. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several

views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### **Claim Rejections – 35 USC § 102**

5. The following is a quotation of appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1, 7-12, 17, 18** are rejected under 35 U.S.C. 102(e) as being unpatentable over **Van Huben et al.** (US Patent No. **5,920,867**: Data management system having data management configuration, Filed on Dec. 6, 1996).

**Regarding Claim 1**, Van Huben discloses a shop including a multi-facility comprising:

printing means with a computer operated by an operator, provided in said shop; (see col. 11, lines 42-47)

a client occupiable private territory provided in said shop; (see col. 68, line 13)

a client accessible computer placed in said private territory in said shop; (see col. 11, lines 42-47)

an in-shop LAN provided in said shop and connecting to said client accessible computer and said printing means with the computer operated by the operator; (see col. 11, lines 38-41) and

a data management center provided outside said shop for managing data of a plurality of said shops, and including a server connected through an external network to said in-shop LAN of each of said shops and including a client-specific data storage area for each client issued an ID for storing data created by the client and data created in relation to the client. (see col. 11, lines 47-51; col. 11, lines 57-60: data (i.e. document, image) server.)

**Regarding Claims 7, 8**, Van Huben discloses the shop including the multi-facility according to claim 1, wherein each client issued an ID gains access through said client accessible computer in said shop or outside said shop to said client-specific data storage area only for the client provided in said server of said data management center. (see col. 28, lines 22-29)

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**Regarding Claim 9**, Van Huben discloses the shop including the multi-facility according to claim 1, wherein data on an operating environment produced when each client issued an ID operates said client accessible computer in said shop, is transferred into and stored on said client-specific data storage area only for the client provided in said server of said data management center, and the stored data is transferred into and written on a selected one of said client accessible computers provided in a selected one of said shops as required to reproduce the same operating environment as that used last time by the client. (see col. 45, lines 57-61; col. 46, lines 15-20; col. 25, lines 13-34: user profile)

**Regarding Claim 10**, Van Huben discloses the shop including the multi-facility according to claim 9, wherein data on an operating environment produced when one client operates said client accessible computer in said shop, is transferred in to and written on said client accessible computer used by another client to enable said another client to operate the client accessible computer in the same operating environment as that of the client accessible computer used by said one client. (see col. 46, lines 1-5; col. 14, lines 15-19: access groups)

**Regarding Claim 11**, Van Huben discloses the shop including the multi-facility according to claim 10, wherein said client accessible computers written with the data on the same operating environment as that used by said one client has access to a document and/or an image stored in the client-specific data storage area only for said one client. (see col. 14, lines 4-14; col. 34, lines 33-38: data

accessible by client based on userid)

**Regarding Claim 12**, Van Huben discloses the shop including the multi-facility according to claim 1, further comprising means for allowing an operator of said shop or a manager of said data management center to access said client-specific data storage area only for a client in said server of said data management center by the client's permission for storing a new document and/or a new image, for editing and processing a document and/or an image stored therein, or for printing a document and/or an image from said printed-output means provided in each of said shops. (see col. 14, lines 15-19; col. 34, lines 33-38: capability to modify accessible data)

**Regarding Claim 17**, Van Huben discloses the shop including the multi-facility according to claim 1, wherein said in-shop LAN is connected to a cache server for said client accessible computers for receiving transfer of data from said server of said data management center and accumulating the data. (see col. 12, lines 19-22; col. 12, lines 29-31: local cache)

**Regarding Claim 18**, Van Huben discloses the shop including the multi-facility according to claim 17, further comprising:

means for accepting a reservation of a client for use of said client accessible computer; and means for transferring required data from said server of said data management center into said cache server on said in-shop LAN in



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advance before a reserved time for accumulation. (see col. 14, lines 48-53:  
capability to perform automated tasks to setup system)

### **Claim Rejection – 35 USC § 103**

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office Action

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 2-6** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Van Huben et al.** (US Patent No. **5,920,867**) in view of **Baloga et al.** (US Patent No. **6,463,701**: Work environment).

Van Huben discloses a data (i.e. document, image) server system accessible via LAN communications by a customer premise (i.e. shop, kiosk) computer system. (see Van Huben col. 6, lines 59-63: “ ... *provide for each project to have a data repository ... and a control repository comprising a common access ... from a group of databases accessible for the project.*”)

**Regarding Claims 2-6**, Van Huben does not specifically disclose a private territory for each client or computer system user. However, Baloga discloses the shop including the multi-facility according to claim 1, wherein said client occupiable private territory for each client is a desk (see col. 2, lines 29-36),

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defined space (see Fig 1; col. 7, lines 45-49), room with walls (see Fig 2B; col. 10, lines 11-18), partitioned booth (see Fig 1; col. 7, lines 45-49), capsule having an outer shell (see Fig 1; col. 7, lines 45-49).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Van Huben with the capability for specified private territories for each client as taught by Baloga. One of ordinary skill in the art would be motivated to modify Van Huben to employ the invention of Baloga in order to define a large work space that is subdivided to create multiple work areas for use by computer users to maximize the usage of shop space and increase the individual privacy of users. (see Baloga col. 1, lines 25-28)

9. **Claims 13, 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Huben et al. (US Patent No. 5,920,867) in view of **Aquilar et al.** (US Patent No. **6,779,110**: Network station suitable for identifying and prioritizing boot information for locating an operating system kernel on a remote server).

Van Huben discloses a data (i.e. document, image) server system accessible via LAN communications by a customer premise (i.e. shop, kiosk) computer system. (see Van Huben col. 6, lines 59-63: " ... *provide for each project to have a data repository ... and a control repository comprising a common access ... from a group of databases accessible for the project.*")

**Regarding Claims 13, 14**, Van Huben does not disclose a network station (i.e. thin client) requiring the download of operating system and applications software

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before operation. However, Aquilar discloses the shop including the multi-facility according to claim 1, wherein said client accessible computer does not have a specific operating system and a specific application program, and receives transfer of an operating system and an application program from a program server connected to said in-shop LAN or data management center as required and executes the writing of the transferred operating system and application program. (see col. 1, lines 28-33; col. 3, lines 37-41; col. 3, lines 50-55: OS and app software downloaded.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Van Huben with the capability to download operating system and applications software as taught by Aquilar. One of ordinary skill in the art would be motivated to modify Van Huben to employ the invention of Aquilar in order to simplify the task of controlling the central distribution of operating system and applications software from server systems available to network end users. (see Aquilar col. 1, lines 33-38: *"The centralization of ... software on servers simplifies the task of controlling the software ... the overall cost of the network is reduced by reducing the number of hard disk devices that the network includes."*) Further, it would optimize the capabilities of the Van Huben's data processing system in large communications network.

**Regarding Claims 15, 19,** Van Huben does not disclose a network station requiring the download of new operating system and new application software

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before each usage by a client effectively erasing previous user's software.

However, Aquilar discloses the shop including the multi-facility according to claims 13, 14, where in a new operating system and a new application program are written on said client accessible computer in each use of each client, and data on the written operating system and application program is erased from the client accessible computer after the use of the client. (see col. 4, lines 13-15; col. 3, lines 37-41; col. 3, lines 48-55: power on or client reset; OS and app software downloaded.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Van Huben with the capability to download a new operating system and new application software effectively erasing previous operating and applications software as taught by Aquilar. One of ordinary skill in the art would be motivated to modify Van Huben to employ the invention of Aquilar in order to improve the reliability and integrity of the boot process and the operational system available to network users. (see Aquilar col. 6, lines 11-12) Further, Van Huben's data processing system's capabilities are enhanced for internetworking communications.

**Regarding Claims 16, 20,** Van Huben does not disclose a network station requiring the download of an arbitrary operating system and an arbitrary application selected by client before download. However, Aquilar discloses the shop including the multi-facility according to claims 14, 15, wherein an arbitrary operating system and an arbitrary application program to be written are selected

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by an instruction of a client, and the same operating system and the same application program as those used when a client issued an ID operated said client accessible computer in said shop last time, are automatically selected in reference with a specification table of said client-specific data storage area for the client. (see col. 5, lines 20-32; col. 4, lines 50-54: client input; OS and app software downloaded.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Van Huben with the capability to download an arbitrary operating system and an arbitrary application as taught by Aquilar. One of ordinary skill in the art would be motivated to modify Van Huben to employ the invention of Aquilar in order to give the user greater control over the boot process and enhance the capabilities of Van Huben's data processing system without increasing the cost of the network station. (see Aquilar col. 1, lines 46-49)

### **Contact Information**

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyung H Shin whose telephone number is 703-305-0711. The examiner can normally be reached on 9am - 7pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 703-308-5221. The

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fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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KHS

Kyung H Shin  
Patent Examiner  
Art Unit 2143

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Sep. 6, 2004

  
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SUPERVISORY PATENT EXAMINER